

FILED

NOV 14 2007

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

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Attorneys for Defendants
JACKSON HEWITT, INC. and TAX SERVICES OF AMERICA, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PIERRE BRAILSFORD, individually and on
behalf of all others similarly situated.

Plaintiffs,

vs.

JACKSON HEWITT, INC.; TAX SERVICES
OF AMERICA, INC.,

Defendants.

) Case No. C 06-00700 CW

) **CLASS ACTION**

) **STIPULATION AND [PROPOSED]
ORDER RE: CY PRES DISTRIBUTION
OF UNCLAIMED SETTLEMENT FUNDS**

) **Judge: Hon. Claudia Wilken**

1 WHEREAS, Section V.F of the Court-approved settlement agreement in this action
2 provides: "Those checks from the...portion of the redress fund that become void, and any
3 other remaining amount, if any, shall be donated to one or more charitable organizations
4 designated by Plaintiffs' Counsel, subject to agreement by Defendants and Court approval

5 WHEREAS, after the completion of the efforts to locate class members and distribute
6 the settlement funds in this matter, there remains a balance of approximately \$34,195 in
7 unclaimed settlement funds; and

8 WHEREAS, the parties have agreed that Bay Area Legal Aid should be the sole
9 recipient of any *cy pres* distribution of unclaimed settlement funds in this action;

10 NOW THEREFORE, THE PARTIES HEREBY AGREE AND STIPULATE AS FOLLOWS:

11 1. The Settlement Administrator shall issue a check payable to Bay Area Legal Aid in
12 the amount all unclaimed settlement funds, which are approximately \$34,195; and

13 2. The Settlement Administrator shall deliver this check to Chavez & Gertler LLP, 42
14 Miller Avenue, Mill Valley, CA 94941 for transmittal to Bay Area Legal Aid.

15
16 Dated: 11/12/07

CHAVEZ & GERTLER LLP

RODDY KLEIN & RYAN

RONALD FREDERICK & ASSOCIATES CO., L.P.A.

BAILEY & GLASSER, LLP

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18
19
20
21 By: 

Mark A. Chavez

22 Attorneys for Plaintiffs
23 PIERRE BRAILSFORD

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1 Dated: 11/9/07


SKADDEN, ARPS, SLATE,
MEAGHER & FLOM LLP

2
3 By: 
4 Benjamin B. Klubes

5 Attorneys for Defendants
6 JACKSON HEWITT, INC. and TAX SERVICES OF
7 AMERICA, INC.

8 IT IS SO ORDERED.

9 Dated: NOV 14 2007


10 The Honorable Claudia Wilken
11 UNITED STATES DISTRICT COURT JUDGE

12 *Additional Counsel for Plaintiffs:*

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